

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE MUSHROOM DIRECT
PURCHASER ANTITRUST
LITIGATION**

Master File No. 06-0620

THIS DOCUMENT RELATES TO:

ALL ACTIONS

ORDER

Upon consideration of Defendants' Motion for Adjudication of Plaintiffs' Antitrust Claims Under the Rule of Reason, Plaintiffs' Cross-Motion for Partial Summary Judgment, and all responses thereto, it is hereby ORDERED that

Defendants' Motion is DENIED, Plaintiffs' Cross-Motion is GRANTED, and partial summary judgment pursuant to Fed. R. Civ. P. 56(a) is entered finding the EMMC, its members, and distributors affiliated with EMMC members to have engaged in a *per se* illegal horizontal agreement to fix prices and restrict supply.

O'Neill, J.